

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William Veronesi	International App. No.:
		PCT/US2004/008192
Serial Number:	10/589,479	International App. Filing
		Date: 16 March 2004
Filed:	08/14/2006	
Group Art Unit:	2857	
Examiner:	West, Jeffrey R.	
Confirmation No.:	8352	
Title:	TENSILE SUPPORT STRENGTH MEASUREMENT SYSTEM AND METHOD	

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Final Office Action mailed on October 15, 2009. Applicant respectfully requests reconsideration of this application.

The rejection of claims 16 and 20 based upon the proposed combination of the Clarke, et al. reference and the Pourladian reference must be withdrawn.

There is no *prima facie* case of obviousness. The Examiner suggests on page 3 of the Office Action that the *Pourladian* reference teaches at column 6, line 59 to column 7, line 28, that a condition of a tensile support is determined based upon a determined rate of degradation over time. Applicant respectfully disagrees. The *Pourladian* reference does not make any determination regarding a rate of degradation over time. The only thing that is accomplished in the section of the reference referred to by the Examiner is that a total number of bend cycles are

counted until failure is reached. There is no reference to any monitoring or any determination of a rate of degradation. Instead, the steel ropes of that reference are bent until they break and only the total number of bend cycles is recorded. A number of bend cycles at the point of breaking does not provide any information regarding a rate of degradation over time.

Therefore, even if the proposed combination could be made, it does not result in a *prima facie* case of obviousness. The rejection must be withdrawn.

**The rejection of claims 16 and 20 based upon the
Robar, et al. and Pourladian references must be withdrawn.**

For the same reasons described above, there is no *prima facie* case of obviousness. The *Pourladian* reference does not provide any support for interpreting the reference as if it somehow teaches determining a rate of degradation over time. There is no *prima facie* case of obviousness and the rejection must be withdrawn.

Applicant is grateful for the indication of allowed and allowable subject matter. For the reasons stated above, all claims are allowable and this case is in condition for allowance.

Respectfully submitted,
CARLSON, GASKEY & OLDS

By:



David J. Gaskey, Reg. No. 37,139
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: December 1, 2009